

REMARKS

This amendment is in response to the Office Action of November 22, 2004.

Regarding paragraph 1, the enclosed drawings are replacement sheets for the sheets appearing in the application as filed. Figure 1 has been revised to insert numeral 24 on the probe 24 and is thought to comply with Examiner's with request thereto. Figure 1 has also been revised to insert to section line 7-7 to correctly label the sectional area of Figure 7. Figure 6 has been revised to correctly designate the loops 45, 47 as described in the specification. The specification has also been revised to appropriately amend the description of the drawings. All figures have been repositioned for greater clarity, and the sheets labeled in the header area in accordance with 37 CFR 1.84(c). No new matter has been added. Notification accepting the drawings as thus presented is requested.

Regarding paragraph 2 as noted above, the drawings and specification have been revised to indicate "line 7-7" in Figure 1. On page 7, the specification has been amended to reference numeral 76 consistently as "rim". On page 8, the specification has been revised to position the loops between the hem 82 and the rim 76 for requisite clarity. The specification has been revised in accordance with Examiner's suggestion for the correct designation of the front section and the rear section. It is thought the forgoing overcomes the noted objections.

Regarding paragraphs 3 and 4, claims 1 through 8 were rejected on double patenting grounds in view of applicant's prior patent, USPN 6,412,343. It was Examiner's position that even though the claims were not identical, the claims were not patentably distinct. Reconsideration of the rejection is requested for the reasons set forth below.

As Examiner well knows, the '343 patent was discussed in the specification and its limitations in certain instances delineated. The present invention provides a patentably distinct cover for overcoming such limitations that is not taught or suggested by applicants prior patent. In the '343 patent, the sealing interface established by the spring assembly 54 is axially fixed on the tube body and is thus not able to move independently thereof. In the present invention, the sealing interface is flexibly supported on the tube body by the flexible annulus 46, which is thus able to permit axial movement of the body with respect thereto without dislodging the interface, as clearly shown in Figures 8 and 9. No comparable structure or function is shown in the '343 patent. These functional and structural differences are clearly recited in the independent claims 1 and 2, herein presented.

More particularly, Claim 1 recites that the head section of the tubular body includes an "inwardly extending annular fold". The annular fold is recited to have "an unsupported length and flexibility sufficient to allow said tubular body to axially shift relative to said pocket without overcoming said interference fit". Comparable structure or function is not present in applicants prior patent. It is thought that such recitations establish clear patentable novelty of claim 1 and allowance thereof is respectfully solicited.

Claim 2 recites in independent format that the tubing forming the sleeve has an "integral inwardly depending fold form a flexible annulus terminating with a pocket" and an annular member in the pocket establishes a compressive fit in assembly. It is also thought that such recitations find no response or suggestion in the '343 patent, and allowance thereof is solicited. Claims 3 through 8 recite additional structure in depended form and are thus also considered patentable.

It is respectfully submitted that the double patenting rejection is thus not applicable to the herein presented claims. Should a terminal disclaimer nonetheless be required for allowance, the same will be submitted.

For the foregoing reasons, Applicant submits that claims 1 through 8 recite patentable novelty over the noted reference and allowance of the same is respectfully requested.

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Respectfully submitted,
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